

87<sup>th</sup> Legislative Session – 2012

Committee: House Commerce and Energy

Monday, February 06, 2012

P - Present  
E - Excused  
A - Absent

Roll Call

P Fargen  
P Greenfield  
P Hawley  
P Hubbel  
P Jensen  
P Jones  
P Kirschman  
P Miller  
P Novstrup (David)  
P Scott  
P Willadsen  
P Conzet, Vice-Chair  
P Solum, Chair

OTHERS PRESENT: See Original Minutes

The meeting was called to order by Chairman Solum.

MOTION: TO AMEND MINUTES OF FEBRUARY 1, 2012. HB 1139 DO PASS MOTION MADE BY REPRESENTATIVE HUBBEL NOT REPRESENTATIVE HAWLEY.

Moved by: Greenfield  
Second by: Willadsen  
Action: Prevailed by voice vote.

MOTION: TO APPROVE THE MINUTES OF WEDNESDAY, FEBRUARY 1, 2012 AS AMENDED

Moved by: Willadsen  
Second by: Greenfield

Action: Prevailed by voice vote.

HB 1192: amend certain limited liability company language.

Presented by: Tom Barnett, State Bar Association of South Dakota

MOTION: DO PASS HB 1192

Moved by: Conzet

Second by: Hawley

Action: Prevailed by roll call vote. (13-0-0-0)

Voting Yes: Fargen, Greenfield, Hawley, Hubbel, Jensen, Jones, Kirschman, Miller, Novstrup (David), Scott, Willadsen, Conzet, Solum

MOTION: PLACE HB 1192 ON CONSENT CALENDAR

Moved by: Jensen

Second by: Conzet

Action: Prevailed by voice vote.

HB 1221: increase the minimum wage and to provide for annual adjustments in the minimum wage equivalent to the consumer price index.

Presented by: Representative Patrick Kirschman

Proponents: Joe Kraljic, Rail Conference and Teamsters

Tim Even, Self, Aberdeen

Karl Kroger, Self, Pierre

Opponents: Shawn Lyons, SD Retailers Association

David Owen, SD Chamber of Commerce and Industry

Bob O'Connell, Sioux Falls Area Chamber of Commerce

Lindsey Riter-Rapp, National Federation of Independent Business

Nathan Lukkes, Department of Labor and Regulation

MOTION: DEFER HB 1221 TO THE 41<sup>ST</sup> LEGISLATIVE DAY

Moved by: Jensen

Second by: Hubbel

Action: Prevailed by roll call vote. (10-3-0-0)

Voting Yes: Greenfield, Hubbel, Jensen, Jones, Miller, Novstrup (David), Scott, Willadsen, Conzet, Solum

Voting No: Fargen, Hawley, Kirschman

HB 1229: exempt certain persons from the requirement to license as a mortgage loan originator.

Presented by: Representative David Lust

MOTION: DO PASS HB 1229

Moved by: Willadsen

Second by: Kirschman

Action: Prevailed by roll call vote. (13-0-0-0)

Voting Yes: Fargen, Greenfield, Hawley, Hubbel, Jensen, Jones, Kirschman, Miller, Novstrup (David), Scott, Willadsen, Conzet, Solum

MOTION: PLACE HB 1229 ON CONSENT CALENDAR

Moved by: Jensen

Second by: Conzet

Action: Failed by voice vote.

HB 1245: revise certain provisions regarding the suspension of a driver license for certain alcoholic beverage violations.

Presented by: Representative Brock Greenfield

MOTION: AMEND HB 1245

1245sa

On page 1, line 14, of the printed bill, overstrike "shall" and insert "may".

Moved by: Willadsen

Second by: Novstrup (David)

Action: Prevailed by voice vote.

MOTION: DO PASS HB 1245 AS AMENDED

Moved by: Willadsen

Second by: Conzet  
Action: Prevailed by roll call vote. (12-0-1-0)

Voting Yes: Fargen, Greenfield, Hawley, Hubbel, Jensen, Jones, Kirschman, Miller, Novstrup (David), Scott, Willadsen, Conzet, Solum

MOTION: PLACE HB 1245 ON CONSENT CALENDAR

Moved by: Jensen  
Second by: Kirschman  
Action: Failed by voice vote.

SB 26: revise certain requirements pertaining to earnest money paid in a cooperative or cobrokerage real estate transaction.

Presented by: Melissa Miller, Real Estate Commission

MOTION: DO PASS SB 26

Moved by: Conzet  
Second by: Miller  
Action: Prevailed by roll call vote. (13-0-0-0)

Voting Yes: Fargen, Greenfield, Hawley, Hubbel, Jensen, Jones, Kirschman, Miller, Novstrup (David), Scott, Willadsen, Conzet, Solum

MOTION: PLACE SB 26 ON CONSENT CALENDAR

Moved by: Jensen  
Second by: Kirschman  
Action: Prevailed by voice vote.

SB 28: revise provisions regarding the renewal process for certain third party insurance administrators.

Presented by: Randy Moses, SD Division of Insurance

MOTION: DO PASS SB 28

Moved by: Hawley  
Second by: Willadsen  
Action: Prevailed by roll call vote. (13-0-0-0)

Voting Yes: Fargen, Greenfield, Hawley, Hubbel, Jensen, Jones, Kirschman, Miller, Novstrup (David), Scott, Willadsen, Conzet, Solum

MOTION: PLACE SB 28 ON CONSENT CALENDAR

Moved by: Hawley  
Second by: Greenfield  
Action: Prevailed by voice vote.

MOTION: ADJOURN

Moved by: Willadsen  
Second by: Greenfield  
Action: Prevailed by voice vote.

Diane Mellan  
Committee Secretary

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Roger D. Solum, Chair